

UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

HUMAN RIGHTS DEFENSE CENTER

Plaintiff,

v.

UNITED STATES DEPARTMENT OF
JUSTICE, et al.,

Defendants.

Case No. 2:20-cv-00674-RSL

Joint Status Report

As directed by the Court's Stipulated Order entered July 13, 2020, [dkt. no. 13], Plaintiff Human Rights Defense Center (HRDC) and Defendants United States Department of Justice (DOJ) and its agency, the Drug Enforcement Administration (DEA), submit this Joint Status Report. HRDC filed this action under the Freedom of Information Act (FOIA), seeking disclosure of certain DEA documents that it sought unsuccessfully via an administrative FOIA request and appeal. Complaint [dkt. no. 1] ¶¶ 12-19.

1 The parties have been engaged in productive conversations with each other
2 via conference calls and e-mail. Through these communications, the parties have
3 taken the following steps towards resolving the dispute raised in HRDC's FOIA
4 Complaint:

- 5 1. HRDC has agreed to narrow its FOIA request to exclude tort claims arising
6 from motor vehicle collisions.
- 7 2. HRDC has also agreed to exclude from its request claims that the DEA
8 resolved with payments made before 2012.
- 9 3. Although it reserves the right to demand production of requested documents
10 for claims down to the \$1,000 threshold stated in its FOIA request, HRDC
11 has agreed that the Defendants may exclude from their initial production
12 claims that the DEA resolved for less than \$2,500. Depending on the
13 material produced for claims above the \$2,500 threshold, HRDC will later
14 determine whether to demand production of documents for claims that fall
15 between the \$1,000 and \$2,500 thresholds.
- 16 4. The DEA has identified two financial databases that it reasonably believes
17 contain information regarding all claims responsive to HRDC's FOIA
18 request.
- 19 5. The DEA has also determined that, to the extent it will be possible to locate
20 the documents that HRDC requests, *e.g.*, claim forms, complaints,
21 settlement agreements, and judgments, the DEA will need to search data
22 systems separate from the two financial databases mentioned above.

1 6. The DEA will commit 40 paralegal hours per month to searching its data
2 systems for responsive documents. These 40 hours are in addition to time
3 that the DEA's FOIA Unit will spend ensuring that the DEA produces
4 documents to HRDC in a manner consistent with applicable privileges and
5 FOIA exemptions.

6 7. The DEA plans to produce responsive documents to HRDC on a rolling basis
7 when it locates and processes them as described above.
8

9 Accordingly, the parties agree that the Court need not set a briefing
10 schedule or other deadlines at this time. HRDC and the Defendants agree to
11 submit another joint status report in 60 days, describing their further progress
12 towards resolution of this matter.

13 DATED this 24th day of August 2020.

14
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Respectfully submitted,

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